



FORM PTO-1449

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
85689.17SERIAL NO.
10/816,777LIST OF ART CITED BY APPLICANT
(Use several sheets if necessary)APPLICANT
Paul A. VaughanFILING DATE
April 2, 2004GROUP
Not AssignedU.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	ISSUE DATE	NAME OF INVENTOR	CLASS	SUBCLASS	FILING DATE (if appropriate)
RL	Re. 37,005	Dec. 26, 2000	Gary K. Michelson et al.	606	99	Jan. 19, 2000
RL	Re. 37, 161	May 1, 2001	Gary K. Michelson et al.	606	61	Jan. 20, 2000
RL	4,696,290	Sep. 29, 1987	Arthur D. Steffee	128	69	Mar. 31, 1986
RL	4,854,311	Aug. 8, 1989	Arthur D. Steffee	128	92 YM	Jan. 21, 1988
RL	5,005,562	Apr. 9, 1991	Yves Cotel	128	69	June 21, 1989
RL	5,092,866	Mar. 3, 1992	Francis H. Breard et al.	606	61	Feb. 2, 1990
RL	5,180,381	Jan. 19, 1993	Gilbert M. Aust et al.	606	61	Sep. 24, 1991
RL	5,486,176	Jan. 23, 1996	Bryan D. Hildebrand et al.	606	71	Feb. 23, 1994
RL	5,496,322	Mar. 5, 1996	Hallett H. Mathews	606	61	July 22, 1994
RL	5,569,248	Oct. 29, 1996	Hallett H. Mathews	606	61	May 9, 1995
RL	5,584,834	Dec. 17, 1996	Joseph P. Errico et al.	606	61	July 14, 1995
RL	5,603,713	Feb. 18, 1997	Gilbert M. Aust et al.	606	61	Sep. 29, 1994
RL	5,620,443	Apr. 15, 1997	Stanley Gertzbein et al.	606	61	Jan. 25, 1995
RL	5,681,311	Oct. 28, 1997	Kevin T. Foley et al.	606	61	Dec. 20, 1995
RL	5,683,391	Nov. 4, 1997	Lawrence M. Boyd	606	61	June 7, 1995
RL	5,728,097	Mar. 17, 1998	Hallett H. Mathews	606	61	July 9, 1996
RL	5,776,135	July 7, 1998	Joseph P. Errico et al.	606	61	Dec. 23, 1996
RL	5,814,046	Sep. 29, 1998	Christoph Hopf	606	61	
RL	5,843,082	Dec. 1, 1998	Hansen A. Yuan et al.	606	61	May 31, 1996
RL	5,876,402	Mar. 2, 1999	Joseph P. Errico et al.	606	61	Mar. 29, 1996
RL	5,904,683	May 18, 1999	Peter J. Pohndorf et al.	606	61	July 10, 1998
RL	5,947,967	Sep. 7, 1999	B. Thomas Barker	606	61	Oct. 22, 1997
RL	5,976,135	Nov. 2, 1999	Michael C. Sherman et al.	606	61	Dec. 18, 1997
RL	6,030,389	Feb. 29, 2000	Erik J. Wagner et al.	606	71	June 10, 1998
RL	6,056,749	May 2, 2000	Stephen D. Kuslich	606	61	Mar. 15, 1999
RL	6,063,089	May 16, 2000	Joseph P. Errico et al.	606	61	Apr. 13, 1998
RL	6,066,140	May 23, 2000	Stanley Gertzbein et al.	606	61	Sep. 24, 1998
RL	6,083,224	Jul. 4, 2000	Stanley Gertzbein et al.	606	61	Nov. 6, 1996
RL	6,106,527	Aug. 22, 2000	Shing-Sheng Wu et al.	606	61	Jan. 19, 1999
RL	6,120,503	Sep. 19, 2000	Gary Karlin Michelson	606	61	Sep. 5, 1997
RL	6,132,434	Oct. 17, 2000	Michael C. Sherman et al.	606	78	May 17, 1999
RL	6,136,001	Oct. 24, 2000	Gary Karlin Michelson	606	61	Jul. 31, 1998
RL	6,136,002	Oct. 24, 2000	Chi-Ming Shih et al.	606	61	Feb. 5, 1999
RL	6,136,003	Oct. 24, 2000	James Van Hoeck et al.	606	61	Feb. 2, 2000
RL	6,139,551	Oct. 31, 2000	Gary K. Michelson et al.	606	79	May 29, 1998
RL	6,156,037	Dec. 5, 2000	Jean-Charles LeHuec et al.	606	61	Oct. 28, 1998
RL	6,167,145	Dec. 26, 2000	Kevin T. Foley et al.	382	128	Mar. 29, 1996

RL
Considered

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EXAMINER INITIAL	DOCUMENT NUMBER	ISSUE DATE	NAME OF INVENTOR	CLASS	SUBCLASS	FILING DATE (if appropriate)
RL	6,187,005	Feb. 13, 2001	Michael Brace et al.	606	61	Sep. 9, 1999
RL	6,190,388	Feb. 20, 2001	Gary K. Michelson et al.	606	61	Jan. 19, 2000
RL	6,193,721	Feb. 27, 2001	Gary K. Michelson	606	70	Feb. 11, 1998
RL	6,228,085	May 8, 2001	Randall R. Theken et al.	606	61	Jul. 14, 1998
RL	6,235,034	May 22, 2001	Robert S. Bray	606	71	Oct. 23, 1998

FOREIGN PATENT DOCUMENTS

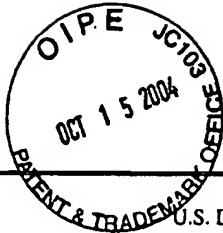
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY FILED IN OR PCT	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER ART

(Include name of author (in CAPITAL LETTERS), title of article, title of item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume issue number(s), publisher, city and/or country where published)

EXAMINER INITIAL						
RL	<i>Spinal Fusion - Understanding Your Surgery</i> (pamphlet) 1999, 16 pgs., The StayWell Company, 1100 Grundy Ln., San Bruno, CA 94066-3033.					
	<i>The Post-Op Back Book-Taking Charge of Your Recovery from Surgery</i> (pamphlet), 2000, 16 pgs., The StayWell Company, 1100 Grundy Ln., San Bruno, CA 94066-3033.					
	<i>Lumbar Epidural Injections - Diagnosis and Treatment to Help Reduce Pain</i> (pamphlet), 1999, 8 pgs., The StayWell Company, 1100 Grundy Ln., San Bruno, CA 94066-3033.					
	<i>Laminectomy and Laminotomy - Low Back Surgery to Reduce Your Pain</i> (pamphlet), 1997, 16 pgs., Krames Communications, 1100 Grundy Ln., San Bruno, CA 94066-3030.					
	<i>Lumbar Disk Surgery - Treating Low Back Pain and Sciatica</i> (pamphlet), 2000, 8 pgs., The StayWell Company, 1100 Grundy Ln., San Bruno, CA 94066-3033.					
	<i>Lumbar Microsurgery - Low-Back Surgery to Reduce Your Pain</i> (pamphlet), 1998, 16 pgs., The StayWell Company, 1100 Grundy Ln., San Bruno, CA 94066-3033.					
	<i>Structure of the Spine</i> , (article), undated, 2 pgs.					
	GERALD E. RODTS, JR., M.D., <i>What Should I Know About Lumbar Fusion?</i> (article found at the Internet Website: www.spineuniverse.com/surgery/specialist/feature0130.html), dated 03/28/2001, 3 pgs.					
	CHARLES V. BURTON, M.D., <i>The Present Role of Titanium Cage Fusions In Spine Care</i> , (article found at the Internet website: www.spineuniverse.com/surgery/procedures/cage2fusion.html), dated 03/28/2001, 3 pgs.					
	MARK R. MCLAUGHLIN, M.D., <i>Image-Guided Spinal Surgery</i> , (article found at the Internet website: www.spineuniverse.com/technology/ak_mclaughlin_image-guided.html), dated 03/28/2001, 2 pgs.					
RL	<i>Spine Fusion Surgery - Bone Growth Stimulators</i> (article found at the Internet website: www.orthofix.com/OFProd/ofsites/T112100c.htm), dated 03/28/2001, 4 pgs.					

EXAMINER INITIAL	DOCUMENT NUMBER	ISSUE DATE	NAME OF INVENTOR	CLASS	SUBCLASS	FILING DATE (if appropriate)
RL			DR. GLENN M. AMUNDSON, <i>Low Back Pain</i> (article found at the Internet website: www.spineuniverse.com/conditions/detail/lowback_amundson.html), dated 03/28/2001, 4 pgs.			
			JOHN W. BRANTIGAN, M.D., <i>Lumbar I/F Cage® With VSP® Spinal System for PLIF</i> , (pamphlet), 1999, 16 pgs., DePuy/AcroMed, Inc., 3303 Carnegie Ave., Cleveland, OH 44115.			
			<i>AcroMed Spinal Solutions for Thoracolumbar Trauma & Tumor</i> (pamphlet), 1996, 10 pgs., AcroMed, Inc., 3303 Carnegie Ave., Cleveland, OH 44115.			
			<i>Akbarnia PDR™ Instruments - Posterolateral Decompression & Reconstruction - Ordering Information</i> (pamphlet), 1996, 2 pgs., AcroMed, Inc., 3303 Carnegie Ave., Cleveland, OH 44115.			
			<i>Kaneda SR (Smooth Rod) - Anterior Spinal System, Titanium - Ordering Information for implants and instruments</i> (pamphlet), 1996, 6 pgs., AcroMed, Inc., 3303 Carnegie Ave., Cleveland, OH 44115.			
			<i>University^{AM} Plate - Titanium Anterior System - Ordering Information for implants and instruments</i> , (pamphlet), 1996, 6 pgs., AcroMed, Inc., 3303 Carnegie Ave., Cleveland, OH 44115.			
			<i>Surgical technique for anterior thoracolumbar corpectomy, graft placement and stabilization using the University^{AM} Plate - Titanium Anterior System™</i> , (pamphlet), 1996, 8 pgs., AcroMed, Inc., 3303 Carnegie Ave., Cleveland, OH 44115.			
			<i>Surgical technique for anterior thoracolumbar corpectomy, graft placement and stabilization using the Kaneda SR™ Anterior Spinal System</i> , (pamphlet), 1996, 12 pgs., AcroMed, Inc., 3303 Carnegie Ave., Cleveland, OH 44115.			
			U.S. copending Patent Application Publication No. US 2003/0065329, Published 4/3/03 entitled <i>Vertebral Stabilization Assembly and Method</i> ; inventor: Paul A. Vaughan; Attorney Docket No. 85689.3.			
			U.S. provisional patent application filed October 3, 2001; (Ser. No. 60/327,118) entitled <i>Vertebral Stabilization Assembly and Method</i> , Attorney Docket No. 85689.4.			
			U.S. provisional patent application filed November 2, 2001 (Ser. No. 60/350,259) entitled <i>Vertebral Stabilization Assembly and Method Having a Modified Pedicle Screw</i> ; Attorney Docket No. 85689.6.			
			U.S. provisional patent application filed November 20, 2001 (Ser. No. 60/331,857) entitled <i>Vertebral Stabilization Assembly and Method for Anterior Placement</i> ; Attorney Docket No. 85689.7.			
RL			U.S. provisional patent application filed January 31, 2002 (Ser. No. 60/353,691) entitled <i>Vertebral Stabilization Assembly and Method Having Dual Pedicle Screws</i> ; Attorney Docket No. 85689.8.			
EXAMINER SIGNATURE			DATE CONSIDERED			
RL			9/22/2005			
<p>*EXAMINER: Please initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Please include copy of this form with next communication to applicant.</p>						



FORM PTO-1449	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. 85689.17	SERIAL NO. 10/816,777
LIST OF ART CITED BY APPLICANT (Use several sheets if necessary)		APPLICANT Paul A. Vaughan	
		FILING DATE April 2, 2004	GROUP 3732

U. S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	ISSUE DATE	NAME OF INVENTOR	CLASS	SUBCLASS	FILING DATE (if appropriate)
RL	4,611,581	Sep. 16, 1986	Arthur D. Steffee	128	69	Dec. 16, 1983
RL	4,648,388	Mar. 10, 1987	Arthur D. Steffee	128	69	Nov. 1, 1985
RL	4,655,199	Apr. 7, 1987	Arthur D. Steffee	128	69	Mar. 29, 1985
RL	4,719,905	Jan. 19, 1988	Arthur D. Steffee	128	69	Dec. 1, 1986
RL	4,771,767	Sep. 20, 1988	Arthur D. Steffee	128	69	Feb. 3, 1986

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY FILED IN OR PCT	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER ART

(Include name of author (in CAPITAL LETTERS), title of article, title of item (book, magazine, journal, serial, symposium, catalog, etc), date, page(s), volume issue number(s), publisher, city and/or country where published)

EXAMINER INITIAL	
	U.S. Patent Application Publication No. US 2004/0193161 A1, published Sept. 30, 2004, entitled <i>Vertebral Stabilization Assembly and Method</i> , Inventor: Paul A. Vaughan; (App. Ser. No. 10/823,418 filed 4/12/04). Cited 8/22/2005

EXAMINER SIGNATURE: 	DATE CONSIDERED: 9/22/2005
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Complete if Known

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet 1

of 2

Complete if Known

Application Number	10/816.777
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Filing Date	April 2, 2004
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First Named Inventor	Vaughan
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Art Unit	3732
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Examiner Name	Unknown
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Attorney Docket Number	85689.17
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U. S. PATENT DOCUMENTS

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FOREIGN PATENT DOCUMENTS

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
PC	2	WO 03/028538 A2-A3	04/10/2003	Vaughan Med. Tech. Inc.		
PC	3	PCT/US2005/11742	04/04/2005	Vaughan Med. Tech. Inc.		

**Examiner
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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)		Complete if Known	
		Application Number	10/816,777
		Filing Date	April 2, 2004
		First Named Inventor	Vaughan
		Art Unit	3732
		Examiner Name	Unknown
Sheet 2	of 2	Attorney Docket Number	85689.17

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
RL	4	VAUGHAN, Paul A., Vertebral Stabilization Assembly and Method, US Serial No. 11/146,075, 6/7/2005.	
RL	5	VAUGHAN, Paul A., Vertebral Stabilization Assembly and Method, US Serial No. 11/086,834, 3/22/2005.	
RL	6	VAUGHAN, Paul A., Vertebral Stabilization Assembly and Method with Rigid & Semi-Rigid Members, US Serial No. 11/185,793, 7/21/2005.	

Examiner Signature		Date Considered	9/22/2005
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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